

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Robin Lynn Smith v Kermit Holmes**

Docket No. **283351**

L.C. No. **1999-019508-CH**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal from the November 15, 2007 order denying appellant's motion to set aside the September 7, 2006 judgment is **DISMISSED** for lack of jurisdiction since the order appealed is a postjudgment order that is not appealable as a matter of right to this Court in view of the fact that appellant failed to file the motion to set aside the judgment within 21 days of entry of this order. MCR 7.202(6)(a)(i), 7.203(A)(1), 7.204(A), and 7.204(A)(1)(b). If appellant still wants to challenge the November 2007 order, he must file a delayed application for leave to appeal. MCR 7.203(B)(1) and 7.205(F)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 20 2008

Date

Sandra Schultz Mengel
Chief Clerk